

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

UNITED STATES SURETY COMPANY)
)
Plaintiff)
) Civil Action No. 05-675 GMS
v.)
)
BB TRUCKING, INC., C-LINE, INC.,)
HYDE TRUCKING CO.,)
JAMES E. OOTEN, SCOTLAND)
TRANSFER CO., INC., SERVICE)
FIRST TRANSPORT, INC., and)
TRANS LINK, INC.)
)
)
Defendants.)

ORDER

WHEREAS, on September 16, 2006, the plaintiff filed a Complaint against the above-captioned defendants (D.I. 1);

WHEREAS, on March 2, 2006, the court entered an Order (D.I. 61) for the plaintiff to show good cause, in writing, within thirty (30) days of the date of the Order, as to why the above-captioned defendants should not be dismissed without further notice, pursuant to Rule 4(m) of the Federal Rules of Civil Procedure; and

WHEREAS, on March 16, 2006, the plaintiff filed a letter with the court (D.I. 74) indicating that the plaintiff has been unable to effect service on these defendants, and that it would not be opposed to the Court proceeding as appropriate under Rule 4 as to these defendants;

IT IS HEREBY ORDERED that:

The above-captioned defendants are dismissed without prejudice pursuant to Rule 4(m) of the Federal Rules of Civil Procedure.

Dated: March 21, 2006

/s/ Gregory M. Sleet

UNITED STATES DISTRICT JUDGE